



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Linda H. MALKAS et al

Conf. No.: 5889

Appln. No.: 10/083,576

Group Art Unit: 1645

Filed: February 27, 2002

Examiner: Unknown

For: METHOD FOR PURIFYING CANCER-SPECIFIC
PROLIFERATING NUCLEAR ANTIGEN

SUBMISSION OF EXECUTED DECLARATION IN RESPONSE
TO THE NOTICE TO FILE MISSING PARTS OF APPLICATION

ATTN: BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 153(b)" dated March 22, 2002 (a copy of which is attached hereto), for which a Petition for Five-month Extension of Time, along with payment of the appropriate fee, is being filed simultaneously herewith, making reply due on or before October 22, 2002, Applicants submit herewith the required Declaration properly executed by all but one of the co-inventors, i.e., all except for Pamela E. Bechtel.

The Declaration of David L. Marks and Dawn M. Brosius, together with accompanying documents, explaining the circumstances under which the remaining inventor (Dr. Bechtel) refuses to sign and/or cannot be found or reached after diligent effort, is being filed concurrently herewith to support the attached Petition Under 37 C.F.R. § 1.47(b), requesting that the

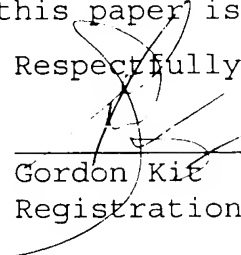
Dr. Bechtel, and the remaining inventors.

SUBMISSION OF EXECUTED DECLARATION
IN RESPONSE TO THE NOTICE TO FILE
MISSING PARTS OF APPLICATION
U.S. Appln. No. 10/083,576

A check for the surcharge of \$65.00^{1/} for submission of the late Declaration is attached hereto.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,



Gordon Kit
Registration No. 30,764

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: October 22, 2002

NAME OF SIXTH INVENTOR:

Given Name

(first and middle [if any]) Dragana

Family Name or Surname

TOMIC

Inventor's Signature

Date

Residence: City Baltimore

State MD

Country USA

Citizenship

YUGOSLAVIAN
United States

Mailing Address: 1 Fellowship Court, Apt. H

City Baltimore

State MD

Zip 21286

Country

United States

NAME OF SEVENTH INVENTOR:

Given Name

(first and middle [if any]) Lauren

Family Name or Surname

SCHNAPER

Inventor's Signature

Date

Residence: City Lutherville

State MD

Country USA

Citizenship

United States

Mailing Address: 11801 Berans Road

City Lutherville

State MD

Zip 21093

Country

United States

NAME OF SIXTH INVENTOR:

Given Name (first and middle [if any]) Dragana		Family Name or Surname TOMIC	
Inventor's Signature		Date	
Residence: City Baltimore	State MD	Country USA	Citizenship United States
Mailing Address: 1 Fellowship Court, Apt. H			
City Baltimore	State MD	Zip 21286	Country United States

NAME OF SEVENTH INVENTOR:

Given Name (first and middle [if any]) Lauren		Family Name or Surname SCHNAPER	
Inventor's Signature <i>Lauren Schnaper MD</i>		Date <i>7/10/02</i>	
Residence: City Lutherville	State MD	Country USA	Citizenship United States
Mailing Address: 11801 Berans Road			
City Lutherville	State MD	Zip 21093	Country United States



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Linda H. MALKAS et al

Confirmation No. **5889**

Appln. No.: **10/083,576**

Group Art Unit: **0000**

Filed: **February 27, 2002**

Examiner: **Unknown**

For: **METHOD FOR PURIFYING CANCER-SPECIFIC
PROLIFERATING NUCLEAR ANTIGEN**

DECLARATION OF DAVID L. MARKS AND DAWN M. BROSIUS

We the undersigned, David L. Marks and Dawn M. Brosius, do hereby declare:

1. I, David L. Marks, am an Intellectual Property law Attorney, in TEC-COM, Office of Research and Development at the University of Maryland, Baltimore, a constituent institution of the University System of Maryland, an agency of the State of Maryland.

2. I, Dawn M. Brosius, am an Administrative Assistant in TEC-COM, Office of Research and Development at the University of Maryland, Baltimore, a constituent institution of the University System of Maryland, an agency of the State of Maryland, and work under the direction and supervision of Mr. Marks.

3. Dr. Pamela Bechtel, along with Robert J. Hickey, Linda H. Malkas, Derek J. Hoelz, Lauren Schnaper and Dragana Tomic, made the invention disclosed and claimed in the above-captioned application while employed at the University of Maryland, Baltimore.

4. Dr. Bechtel was employed at the University of Maryland, Baltimore between April 27, 1998 and November 15, 2000. Dr. Hickey was employed at the University of Maryland, Baltimore between July 1, 1989 and January 11, 2002. Dr. Malkas was employed at the University of Maryland, Baltimore between July 1, 1989 and January 11, 2002. Dr. Hoelz was employed at the University of Maryland,

**DECLARATION OF DAVID L. MARKS
AND DAWN M. BROSIUS
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position until approximately January 11, 2002. Dr. Dragana Tomic was hired July 21, 2000, and is currently employed at the University of Maryland, Baltimore.

5. As employees of the University of Maryland, Baltimore, Dr. Bechtel, Dr. Hickey, Dr. Malkas, Dr. Hoelz, Dr. Schnaper, and Dr. Tomic are obligated to assign their rights to any invention conceived and/or reduced to practice during the course of their employment to the University of Maryland, Baltimore. Dr. Hickey, Dr. Malkas, and Dr. Tomic have assigned their rights in the invention disclosed and claimed in the above-captioned application to the the University of Maryland, Baltimore, as shown in a copy of the Assignment attached hereto as Appendix A.

6. Dr. Min Park works at Los Alamos Laboratories and is an employee of the U.S. government when he assisted in the conception and/or reduction to practice of this invention.

7. Because Dr. Park is the only inventor who was never an employee of the University of Maryland, Baltimore, the University of Maryland, Baltimore is currently negotiating an agreement with the U.S. government to grant to the University of Maryland, Baltimore the authority to prosecute this patent application on behalf of the U.S. government.

8. On March 19, 2002, Mr. Marks sent a letter to Dr. Pamela Bechtel, along with a copy of the above-captioned patent application via UPS Second Day Delivery, at her last known work address, Motorola, Inc. Mail Drop EL623, 2100 East Elliot Road, Tempe, Arizona 85284-1806. The UPS tracking number for this letter was S986 318 314 7. A copy of this letter, and the UPS Shipping Document therefor are attached hereto as Appendix B.

9. UPS confirmed that on March 19, 2002, this first letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number S986 318 314 7 showing the same is attached hereto as Appendix C. Dr. Bechtel did not respond to this first

10. Bechtel via UPS Second Day Delivery at her last known work

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known work address, informing her of the serial number for the patent application. The UPS tracking number for this letter was 1Z AOW 972 37 10000 89 2. A copy of this letter, and the UPS Shipping Document therefor are attached hereto as Appendix D.

11. UPS confirmed that on April 18, 2002, the second letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number 1Z AOW 972 37 10000 89 2 showing the same is attached hereto as Appendix E. Dr. Bechtel did not respond to this second letter.

12. On May 7, 2002, Mr. Marks received a letter dated April 30, 2002 from Dr. Robert J. Hickey, a co-inventor of the above-captioned application, in which Dr. Hickey advised, *inter alia*, that Dr. Bechtel's home address was 600 West Grove Parkway, Apt. 1110, Tempe, Arizona 85283-4550. A copy of Dr. Hickey's letter is attached hereto as Appendix F.

13. On May 28, 2002, Mr. Marks sent a third letter to Dr. Bechtel, along with the Declaration and Power of Attorney for the above-captioned patent application, at her above-noted last known work address via UPS Second Day Delivery, asking her to execute the same and return the executed Declaration to him. The UPS tracking number for this letter was 1Z AOW 972 02 9792 6312. A copy of this letter, and the UPS Shipping Document therefor are attached hereto as Appendix G.

14. UPS confirmed that on May 30, 2002, this third letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number 1Z AOW 972 02 9792 6312 showing the same is attached hereto as Appendix H. Dr. Bechtel did not respond to this third letter.

15. On July 8, 2002, Mr. Marks sent a fourth letter to Dr. Bechtel, along with another copy of the Declaration and Power of Attorney via UPS Second Day Delivery, again at her above-noted work address. The UPS tracking number

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16. UPS confirmed that on July 9, 2002, this fourth letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number 1Z AOW 972 0195398470 showing the same is attached hereto as Appendix J. Dr. Bechtel did not respond to this fourth letter.

17. On July 22, 2002, Ms. Brosius sent an email to Dr. Bechtel, asking her to sign the Declaration and Power of Attorney and return the same. The email address used was apb040@email.mot.com, which is that of Dr. Bechtel's at her last known employer, Motorola (mot.com). A copy of this email is attached hereto as Appendix K. Dr. Bechtel did not respond to this email.

18. On July 25, 2002, Ms. Brosius called Dr. Bechtel at Motorola (480-413-7695) and left a message on voice mailbox that identified itself as Dr. Bechtel's voice mailbox. The message requested that Dr. Bechtel sign and return the Declaration and Power of Attorney to Mr. Marks. Dr. Bechtel did not respond to this message.

19. On August 8, 2002, Mr. Marks telephoned Dr. Bechtel at Motorola (480-413-7695) and left a message on voice mailbox that identified itself as Dr. Bechtel's voice mailbox, asking her to sign and return the Declaration and Power of Attorney.

20. On August 12, 2002, Mr. Marks attempted to reach Stasia Ogden, Esq. at Motorola, via email and telephone concerning Dr. Bechtel. Ms. Ogden was the Senior Patent Attorney for Motorola Biochip Systems, the division through which Dr. Bechtel was employed. Ms. Ogden, had in the past, been helpful in obtaining Dr. Bechtel's signature on documents for Mr. Marks. Ms. Ogden's responsive email and voice mailbox both stated that Ms. Ogden no longer works for Motorola. A copy of Mr. Marks' email, and the responsive email are attached hereto as Appendix L.

21. On August 13, 2002, Mr. Marks again emailed

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Attorney. A copy of this email is attached hereto as Appendix M. Dr. Bechtel did not respond to this email.

22. On August 15, 2002, Mr. Marks searched for a new home address and/or work address for Dr. Bechtel using the internet. Mr. Marks found a Pamela Bechtel at 711 West Kesler Lane, Chandler, AZ 85225-6286 and sent via UPS Second Day Deliver a fifth letter along with the Declaration and Power of Attorney, requesting that Dr. Bechtel sign and return the executed Declaration and Power of Attorney. The UPS tracking number for this letter was 1Z 053T960297775421. A copy of this letter and the UPS Shipping Document therefor are attached hereto as Appendix N.

23. UPS confirmed that on August 19, 2002, this fifth letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number 1Z 053T960297775421 showing the same is attached hereto as Appendix O. Dr. Bechtel did not respond to this fifth letter.

24. On September 13, 2002, Mr. Marks called a Pamela Bechtel at 480-732-7804 and talked to a woman who stated that while she resides at 711 West Kesler Lane, Chandler, AZ 85225-6286, she is not the same person as Dr. Bechtel, inventor on this patent application. Ms. Bechtel indicated that she was not aware of another Pamela Bechtel in the Phoenix area and informed Mr. Marks that she has received several letters and telephone messages meant for Dr. Bechtel.

25. On September 16, 2002, Ms. Brosius requested a search on Pamela E. Bechtel via 1-800-USA-Search, and was told that the last known Arizona address for Dr. Bechtel was 600 West Grove Parkway, Apt. 1110, Tempe, Arizona 85283-4550. A copy of the search results are attached hereto as Appendix P.

26. Then, Ms. Brosius searched the internet for this address and discovered that it is Oakwood at Signature Place Hotel, which

is a hotel located at 600 West Grove Parkway, Tempe, Arizona 85283-4550.

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Dr. Bechtel was still living there. Ms. Brosius was told that the person cannot give out information about whether a person is living in the corporate housing. The person informed Ms. Brosius that mail addressed to a person who longer lived in the housing would be refused, and would be forwarded only if the individual filled out the necessary request with the United States Post Office.

28. As a result, on September 17, 2002, Mr. Marks sent a sixth letter to Dr. Bechtel via UPS Next Day Delivery, along with another copy of the Declaration and Power of Attorney to her at 600 West Grove Parkway, Apt. 1110, Tempe, Arizona 85283-4550, and asked Dr. Bechtel to sign and return the Declaration and Power of Attorney. The UPS tracking number for this letter was 1Z AOW 972 01 9437 3275. A copy of this letter and the UPS Shipping Document therefor are attached hereto as Appendix R.

29. UPS confirmed that on September 18, 2002, this sixth letter was delivered. A copy of the UPS internet confirmation receipt for UPS tracking number 1Z AOW 972 01 9437 3275 showing the same is attached hereto as Appendix S. Dr. Bechtel did not respond to this sixth letter.

30. On October 7, 2002, Mr. Marks spoke with Dr. Robert Hickey, an inventor. Dr. Hickey mentioned that he spoke with Dr. Bechtel several weeks ago. Dr. Hickey confirmed that Dr. Bechtel's home address is 600 West Grove Parkway, Apt. 1110, Tempe, Arizona 85283-4550.

31. We believe that Dr. Bechtel's failure to return our telephone calls and respond to our letters and emails is because she is refusing to sign the Declaration and Power of Attorney for this application or because she can not be found or reached after diligent effort on our part to find or reach her.

32. As noted above, the University of Maryland, Baltimore is an assignee of the invention disclosed and claimed in the above-

and its employees and by virtue of the University System :

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Maryland's Patent Policy, all employees are obligated to assign their rights in inventions that are conceived and/or reduced to practice while an employee, if the invention is directly related to the scope of the employee's job.

33. I, David L. Marks, as an Attorney for the University of Maryland, Baltimore, have first-hand knowledge of the above-noted employment agreement and the Patent Policy of the University System of Maryland, and have first-hand knowledge that Dr. Bechtel, Dr. Malkas, Dr. Hickey, Dr. Tomic, Dr. Schnaper, and Dr. Hoelz were employees at the time of the conception and reduction to practice of the invention disclosed and claimed in the above-captioned application. Indeed, I, David L. Marks, worked with these employee/inventors to complete the Invention Report form for this invention that they submitted to the Office of Research and Development at the University of Maryland, Baltimore, where I work.

34. The University of Maryland, Baltimore has licensed rights to practice the invention disclosed and claimed in the above-captioned application to a third party.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

David L. Marks
David L. Marks

April 3, 2002
Date

Dawn M. Brosius

April 3, 2002

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to Linda H. Malkas, Robert J. Hickey, Pamela E. Bechtel, Derek J. Hoelz, Dragana Tomic, Lauren Schnaper, the undersigned hereby sell and assign to the **University of Maryland, Baltimore**, a constituent institution of the University System of Maryland, an agency of the State of Maryland, having an address at **520 West Lombard Street, Baltimore, MD 21201-1627** (Assignee), their entire rights, titles and interests

check applicable space(s) ☒ [X] for the United States of America (as defined in 35 U.S.C. §100)
☒ [X] and throughout the world,

in the invention known as Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen, for which application for patent was made in the United States of America on February 27, 2002 (also known as U. S. non-provisional patent application serial number 10/083,576, and in any and all non-provisional and/or international patent applications and/or foreign patent applications thereon, in any and all Letters Patent therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent and divisional and the continuing patent applications thereof to the full end of the term or terms for which such Letters Patent issue, such entire right, title and interest to be held and enjoyed by the above named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this Assignment and sale not been made.

The undersigned agree to execute all papers necessary in connection with the patent application, non-provisional and/or international and/or foreign patent applications, and any continuing, divisional, reissue, reexamination or corresponding patent applications thereof and also to execute separate Assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree to execute all papers necessary in connection with any interference that may be declared concerning the patent application or any non-provisional, continuing, divisional, reissue or reexamination patent applications thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represent that undersigned have full right to convey undersigned's entire interest herein assigned, and that undersigned have not executed and will not execute any agreement in conflict therewith.

IN WITNESS WHEREOF, executed by the undersigned on the date opposite their names:

Signature: Linda H. Malkas Date: 5/30/02
 Name: Linda Malkas Residence: 6256 Lakeland Blvd.
 City: Indianapolis State: Indiana Zip: 46234

State of INDIANA
 City of/County of Morgan

.....
 I, undersigned, do hereby certify that the foregoing is a true and correct copy of the original as filed for recording and is prima facie evidence of the facts stated herein.

Signature: Robert J. Hickey Date: 5/30/02
 Name: Robert J. Hickey Residence: 6256 Lakeland Blvd.
 City: Indianapolis State: Indiana Zip: 46234

State of INDIANA
 City of/County of Morgan

Subscribed and sworn to before me this 30th day of May, 2002.

Doris N. Sachs, Notary Public
 (Legalization-notarization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. § 261).

Signature: _____ Date: _____
 Name: Pamela E. Bechtel Residence: 600 West Grove Parkway, Apt. 1110
 City: Tempe State: Arizona Zip: 85283-4550

State of _____
 City of/County of _____

Subscribed and sworn to before me this _____ day of _____, 2002.

_____, Notary Public
 (Legalization-notarization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. § 261).

Signature: _____ Date: _____
 Name: Derek J. Hoelz Residence: 3738 Nickerbocker Place, Apt. 3D
 City: Indianapolis State: Indiana Zip: 46234

State of _____
 City of/County of _____

Subscribed and sworn to before me this _____ day of _____, 2002.

Signature: Dragana Tomic Date: 06/05/02
 Name: Dragana Tomic Residence: 1 Fellowship Court, Apartment H
 City: Baltimore State: Maryland Zip: 21286

State of Maryland
 City of/County of Baltimore

Subscribed and sworn to before me this 5th day of JUNE, 2002.

[Signature] My Commission Expires 5/12/2004
 _____, Notary Public

(Legalization-notarization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. § 261).

Signature: _____ Date: _____
 Name: Lauren Schnaper Residence: 11801 Berans Road
 City: Lutherville State: Maryland Zip: 21093

State of _____
 City of/County of _____

Subscribed and sworn to before me this _____ day of _____, 2002.

_____, Notary Public
 (Legalization-notarization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. § 261).



Office of Research and Development

March 19, 2002

VIA UPS 2nd DAY DELIVERY

Pamela E. Bechtel, Ph.D.
Motorola, Inc.
Mail Drop EL623
2100 East Elliott Road
Tempe, AZ 85284-1806

Re: New Patent Application
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM 2000-051

Dear Dr. Bechtel:

On February 27, 2002, the above referenced patent application was filed with the U.S. Patent and Trademark Office; a copy of which is enclosed.

I believe that the inventors for this patent application are as follows: you, Dr. Malkas, Dr. Hickey, Dr. Schnaper, Dr. Park, Derek Hoelz, and Dragana Tomic. Please confirm for me that this list of inventors is correct. Under separate cover letter, the other inventors will receive copies of the patent application.

Also please confirm that your home address is still 600 West Grove Parkway, Apartment 1110, Tempe, Arizona 85283-4550.

As soon as I obtain ever inventors' home address and the patent application's serial number, I will forward to all inventors a Declaration/Power of Attorney for their signatures.

If you have any questions about this application or would like an update on other matters related to your work here at the University, please feel free to call me at 410-706-1933. Thank you in advance for your time and assistance.

Sincerely:

A handwritten signature in cursive script, reading 'David L. Marks'.

David L. Marks

Enclosure

Malkas LM2000-051 Patent NP CWPI-4 M00-051-fwd Application 2





Shipping Document

See instructions on back of form for additional information. 1-800-PICK-UPS (800-742-5877)

TRACKING NUMBER **S986 318 314 7**

1 SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO. **291X10**

REFERENCE NUMBER

LM-00-051

NAME **David Marks** TELEPHONE **410-206-8728**

COMPANY **UNIVERSITY OF MARYLAND-BALTIMORE**

STREET ADDRESS **515 W LOMBARD ST**

CITY AND STATE **BALTIMORE MD** ZIP CODE **21201**

2 DELIVERY TO

NAME **Dr. Pamela E. Bechtel** TELEPHONE **(480) 413-7695**

COMPANY **Motorola, Inc.** m/s **EL623**

STREET ADDRESS **2100 East Elliott Rd**

CITY AND STATE **Tempe, AZ** ZIP CODE **85284-1806**



		CHARGES
4	2ND DAY AIR CHARGE	\$
5	<input type="checkbox"/> SATURDAY PICKUP See instructions	\$
	<input type="checkbox"/> INSURED VALUE Contents are automatically protected up to \$100. For insured value over \$100, see instructions.	\$ AMOUNT
	<input type="checkbox"/> C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package.	\$ AMOUNT
6	ADDITIONAL HANDLING CHARGE <input type="checkbox"/> An Additional Handling Charge applies for certain items. See instructions.	\$
TOTAL CHARGES		\$

7	METHOD OF PAYMENT	BILL SHIPPER	BILL RECEIVER	BILL THIRD PARTY	CREDIT CARD	American Express Diner's Club Discover MasterCard Visa	CHECK
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

8	RECEIVER'S / THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO.	EXPIRATION DATE
THIRD PARTY'S COMPANY NAME		
STREET ADDRESS		
CITY AND STATE		
ZIP CODE		

9	SHIPPER'S SIGNATURE	DATE OF SHIPMENT
	<i>[Signature]</i>	3/19/02



UNITED PARCEL SERVICE OF AMERICA, INC.

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: S986 3183 147
Service Type: 2ND DAY AIR
Shipped or Billed on: Mar 19, 2002

Delivered on: Mar 21, 2002 8:56 A.M.
Delivered to: TEMPE, AZ, US
Signed by: GAMBLE
Location: DOCK

Thank you for giving us this opportunity to serve you.

Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 23, 2002 11:49 A.M. Eastern Time
(USA)



Office of Research and Development

April 16, 2002

VIA UPS 2nd DAY DELIVERY

Pamela E. Bechtel, Ph.D.
Motorola, Inc.
Mail Drop EL623
2100 East Elliott Road
Tempe, AZ 85284-1806

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Dr. Bechtel:

Enclosed please find a copy of the Notice to File Missing Parts issued by the USPTO on March 22, 2002. Please note that we need to file a Declaration and Power of Attorney in order to comply with the Notice.

To follow up with my previous request in my letter dated March 19, 2002, please confirm, if you can, that the following individuals are inventors for this patent application: Dr. Hickey, Dr. Malkas, Dr. Schnaper, Dr. Park, Derek Hoelz, and Dragana Tomic.

Also please confirm that your home address is still 600 West Grove Parkway, Apartment 1110, Tempe, Arizona 85283-4550. I need this information for the Declaration and Power of Attorney.

Thank you in advance for your time and assistance.

Sincerely;

A handwritten signature in black ink that reads "David L. Marks". The signature is written in a cursive, flowing style.

David L. Marks

Enclosure





UNITED PARCEL SERVICE

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: 1Z A0W 972 37 1000 089 2
Service Type: 2ND DAY AIR
Shipped or Billed on: Apr 16, 2002

Delivered on: Apr 18, 2002 8:57 A.M.
Delivered to: TEMPE, AZ, US
Signed by: GAMBLE
Location: DOCK

Thank you for giving us this opportunity to serve you.

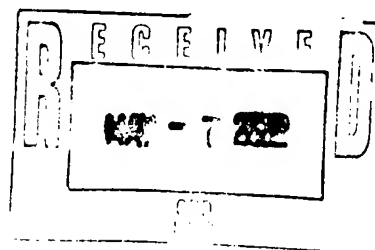
Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 23, 2002 11:52 A.M. Eastern Time (USA)

INDIANA UNIVERSITY

April 30, 2002

Mr. David Marks
Office of Research and Development
University of Maryland, Baltimore
515 W. Lombard Street
Baltimore, MD 21201



IU 
MEDICAL
GROUP
Specialty Care

Dear Mr. Marks:

Thank you for your letter of April 16th requesting confirmation of the listed individuals as inventors for this patent application. While I understand that defining inventorship is a legal matter, it is my understanding that the individuals you noted in your letter to Dr. Malkas did contribute significantly, in my opinion, to the invention described in UMB's application to the PTO.

I do not have home addresses for two of these individuals, but I have made an attempt to provide you with leads that could net those addresses for you.

Dr. Robert Hickey
6256 Lakeland Blvd.
Indianapolis, IN 46234

Dr. Linda Malkas
6256 Lakeland Blvd.
Indianapolis, IN 46234

Mr. Derek Hoelz
3738 Nickerbocker Place
Apt3D
Indianapolis, IN 46240

Dr. Min Park
You will need to contact him directly at 505 667 5701. I'm sure that he will provide his home address at your request.

DEPARTMENT OF MEDICINE
HEMATOLOGY/ONCOLOGY

Dr. Dragana Tomic
You will need to contact Dr. Jodi Flaws (6-3606) who is a faculty member at UMB in the Dept. of Epidemiology. Anna works for her.

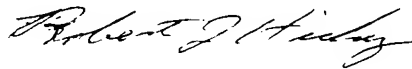
4-202-5254

Tempe, AZ 85283

117-071-3580

I trust that this information will be helpful to you.

Sincerely,

A handwritten signature in cursive script, reading "Robert J. Hickey". The signature is written in dark ink and is positioned above the printed name.

Robert J. Hickey, Ph.D.
Associate Professor



Office of Research and Development

May 28, 2002

VIA UPS 2nd DAY DELIVERY

Linda H. Malkas, Ph.D.
Indiana University Cancer Research Institute
1044 West Walnut Street
Bldg. R4, Room 170
Indianapolis, IN 46202-5254

Robert J. Hickey, Ph.D.
Indiana University Cancer Research Institute
1044 West Walnut Street
Bldg. R4, Room 170
Indianapolis, IN 46202-5254

Pamela E. Bechtel, Ph.D.
Motorola, Inc.
Mail Drop EL623
2100 East Elliott Road
Tempe, AZ 85284-1806

Derek J. Hoelz, Ph.D.
Indiana University Cancer Research Institute
1044 West Walnut Street
Bldg. R4, Room 202
Indianapolis, IN 46202-5245

Min S. Park, Ph.D.
Los Alamos National Laboratory
P.O. Box 1663
M/S M888
Los Alamos, NM 87545

Dragana Tomic, M.D.
University of Maryland, Baltimore
660 Redwood Street
Howard Hall, Room 132
Baltimore, MD 21201

Lauren Schnaper, M.D.
Greater Baltimore Medical Center
6701 N. Charles Street
Suite 3105
Baltimore, MD 21204

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Drs. Malkas, Hickey, Bechtel, Park, Hoeltz, Tomic and Schnaper:

Enclosed please find a copy of the above referenced patent application. Also enclosed is a Declaration and Power of Attorney. Please sign and return the Declaration and Power of Attorney to me as soon as possible. I need to file this document with the USPTO.

Assignment.



Dr. Park, I recommend that you report this invention to your agency's technology transfer office. Please have someone in that office contact Andrea Doering at 410-706-1876 to discuss the establishment of an Inter-Institutional Agreement between your employer and UMB.

When the Declarations are submitted to the USPTO, we will amend the application to include information about federal funding of the research which led to this. It is my understanding that the following grants funded the research:

NIH grants CA 83199; CA 57350-04; and CA74904

DOD DAMD 17-97-1-7037

If this information is correct or incomplete, please provide me with the necessary information when you return the Declarations.

If you have any questions regarding the application or the enclosed documents, please feel free to call me at 410-706-1933 or email me at davidmarks@ordmail.umaryland.edu.

Thank you for your time and assistance.

Sincerely;



David L. Marks

Enclosures

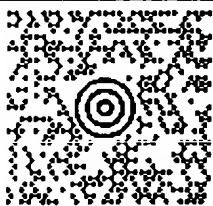
DAWN BROSIUS
4107061932
UNIVERSITY OF MARYLAND, BALTIMORE
515 W. LOMBARD STREET
BALTIMORE MD 21201

LTR 1 OF 1

SHIP TO:

PAMELA E. BECHTEL, PH.D.
MAIL DROP EL623
2100 EAST ELLIOTT ROAD
MOTOROLA, INC.

TEMPE AZ 85284-1806



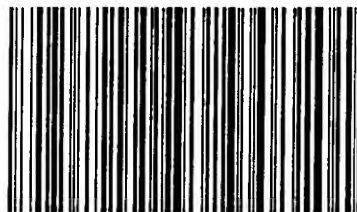
AZ 852 9-99



UPS 2ND DAY AIR

TRACKING #: 1Z A0W 972 02 9792 6312

2



BILLING: P/P

Reference # 1: LM-2000-051



TM

LRS 04.01 MAC/MSZ1 URC 16 11/2001



UNITED PARCEL SERVICE

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: 1Z A0W 972 02 9792 631 2
Service Type: 2ND DAY AIR
Shipped or Billed on: May 28, 2002

Delivered on: May 30, 2002 9:02 A.M.
Delivered to: TEMPE, AZ. US
Signed by: CLEM
Location: DOCK

Thank you for giving us this opportunity to serve you.

Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 20, 2002 2:08 P.M. Eastern Time
(USA)

University of Maryland



July 8, 2002

Office of Research and Development
VIA UPS 2nd DAY DELIVERY

Derek J. Hoelz, Ph.D.
Indiana University Cancer Research Institute
1044 West Walnut Street
Bldg. R4, Room 202
Indianapolis, IN 46202-5245

Pamela E. Bechtel, Ph.D.
Motorola, Inc.
Mail Drop EL623
2100 East Elliott Road
Tempe, AZ 85284-1806

Min S. Park, Ph.D.
Los Alamos National Laboratory
P.O. Box 1663
M/S M888
Los Alamos, NM 87545

Lauren Schnaper, M.D.
Greater Baltimore Medical Center
6701 N. Charles Street
Suite 3105
Baltimore, MD 21204

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Dr. Bechtel, Dr. Schnaper, Dr. Park, and Dr. Hoeltz:

Please sign and return to me as soon as possible the Declaration and Power of Attorney for the above referenced patent application. We need to file this document with the USPTO. If you like, please fax the signed document to me at 410-706-6630. A copy of the Declaration and Power of Attorney is enclosed.

Thank you completing and returning the document.

Sincerely;

A handwritten signature in dark ink, appearing to be 'D. J. Hoeltz'.

Markus LM-2000-051 Patent NP-10011111 Declaration

515 West Lombard Street, Baltimore, MD 21201-4130 410-706-6700 410-706-6630 Fax 410-706-6630



UPS Internet Shipping: Shipment Receipt

(Keep this for your records.)

Transaction Date 08 Jul 2002

ADDRESS INFORMATION**Ship To**Pamela E. Bechtel, Ph.D.
Mail Drop EL623
2100 East Elliott Road
Motorola, Inc.
TEMPE, AZ 85284-1806**Shipper**Dawn Brosius
University of Maryland, Baltimore
4107061932
5th Floor
515 W. Lombard Street
Baltimore, MD 21201**Ship From**

Baltimore, MD 21201

SHIPMENT DETAILS

Service : UPS Next Day Air
Guaranteed By* : 10:30 A.M., Tues. 9 Jul. 2002
Payment Method : Visa XXXX-XXXX-XXXX-7489

Shipping : **16.62

PACKAGE DETAILS**Package 1 of 1**

Tracking Number 1ZA0W9720195398470
Reference # 1 : LM-2000-51

Package Type UPS Letter
Actual Weight Letter
Billable Weight : Letter

All currencies in USD**Total : **16.62**

Note: The displayed rate is for reference purposes and does not include applicable taxes.

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS.

** Rate includes a fuel surcharge.



United Parcel Service of America, Inc.

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: 1Z A0W 972 01 9539 847 0
Service Type: NEXT DAY AIR
Shipped or Billed on: Jul 8, 2002

Delivered on: Jul 9, 2002 9:06 A.M.
Delivered to: TEMPE, AZ, US
Signed by: GAMBLE
Location: DOCK

Thank you for giving us this opportunity to serve you.

Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 23, 2002 11:32 A.M. Eastern Time
(USA)

Brosius, Dawn

From: Brosius, Dawn
Sent: Monday, July 22, 2002 12:01 PM
To: 'apb040@email.mot.com'
Subject: U.S. Patent Application 10/083,576

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Dr. Bechtel:

On 5/28/02 we sent a Declaration and Power of Attorney document to you for the above referenced application. We have not yet received your executed documents. Please let me know if there is a problem or if you need to be sent another set of documents.

Thank you,
Dawn M. Brosius
TEC-COM
University of Maryland, Baltimore
515 W. Lombard Street, Suite 500
Baltimore, MD 21201
410-706-1932

**** Please note my new e-mail address: dbrosius@umaryland.edu ****

Marks, David

From: Marks, David
Sent: Monday, August 12, 2002 3:57 PM
To: 'stasia.ogden@motorola.com'
Subject: Assistance with an Patent Issue

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying csPCNA
Our Reference: LM-2000-051

Dear Ms. Ogden:

I am the in-house patent attorney for the University of Maryland, Baltimore. Some time ago, I requested your assistance in obtaining Pamela Bechtel's signature on a Substitute Declaration for an invention she made while an employee at the university. Dr. Bechtel is currently employed by Motorola in Tempe, Arizona. Thank you for your help.

At this time, I am again requesting your assistance in asking Dr. Bechtel to sign a Declaration and Assignment for another invention she worked on while an employee here at the university.

Can you please ask Dr. Bechtel to sign the Declaration and Assignment that this office sent to her on May 28, 2002 and on July 8, 2002 for the above referenced patent application? The documents were sent to what we believe is her work address (Mail Drop EL623, 2100 East Elliott Road, Tempe, Arizona, 85284). If Dr. Bechtel does not have these documents, I will be glad to fax them to her.

This office left several telephone messages for Dr. Bechtel, requesting that she complete the forms or let me know if she did not receive them. To date, I have not received a response from Dr. Bechtel. She is the only inventor who has not returned to me a Declaration, and I need to file a Response to Notice to Missing Parts.

Thank you for your assistance once again.

David Marks
Attorney, Intellectual Property
University of Maryland, Baltimore
TEC COM
515 West Lombard Street, 5th Floor
Baltimore, MD 21201
410-706-1933 (phone)
410-706-6630 (fax)

Marks, David

From: System Administrator
Sent: Monday, August 12, 2002 3:58 PM
To: stasia.ogden@motorola.com
Subject: Undeliverable: Assistance with an Patent Issue

Your message did not reach some or all of the intended recipients.

Subject: Assistance with an Patent Issue
Sent: Mon, Aug 12, 2002 3:57 PM

The following recipient(s) could not be reached:

stasia.ogden@motorola.com on Mon, Aug 12, 2002 3:57 PM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

<ftpbox.mot.com #5.1.1 SMTP; 550 5.1.1 <stasia.ogden@motorola.com>... User unknown>

Marks, David

From: Marks, David
Sent: Monday, August 12, 2002 4:17 PM
To: 'apb040@email.mot.com'
Subject: Declaration

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying csPCNA
Our Reference: LM-2000-051

Dear Dr. Bechtel:

On May 28, 2002 and on July 8, 2002 this office sent to you a copy of the above referenced patent application, a Declaration and an Assignment. Can you please sign the Declaration and Assignment and return it to me as soon as possible? If possible, please fax and mail the documents to me. My fax number is 410-706-6630.

If you do not have the documents, please let me know and I will fax copies to you for signature. Please provide me with your fax number.

If you have any questions, please call me at 410-706-1933. Thank you for your assistance.

David Marks



UNIVERSITY OF MARYLAND

August 15, 2002

VIA UPS 2nd DAY DELIVERY

Pamela E. Bechtel, Ph.D.
711 West Kesler Lane
Chandler, AZ 85225-6286

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Dr. Bechtel:

Enclosed please find a Declaration and Power of Attorney for the above referenced patent application. Please sign and return the Declaration to me as soon as possible. You can fax it to me at 410-706-6630.

Please let me know if you need another copy of the patent application. Also please confirm that your work address is still Motorola, Inc., Mail Drop EL623, 2100 East Elliott Road, Tempe, Arizona 85284-1806. You reach me by telephone (410-706-1933) or by email (dmarks@umaryland.edu)

Thank you for your time and assistance.

Sincerely;

David L. Marks

Enclosure

UPS Internet Shipping: Shipment Receipt
(Keep this for your records.)

Transaction Date 15 Aug 2002

ADDRESS INFORMATION**Ship To**Pamela Bechtel, Ph.D.
711 West Kesler Lane
CHANDLER, AZ 85225-6286**Shipper**Beverly Law
University of Maryland, Baltimore
4107065903
5th Floor
Office of Res. & Dev. - TEC-COM
515 W. Lombard Street
Baltimore, MD 21201**Ship From**

Baltimore, MD 21201

SHIPMENT DETAILS**Service :** UPS 2nd Day Air
Guaranteed By*: End of Day, Mon. 19 Aug. 2002
Payment Method : Visa XXXX-XXXX-XXXX-7489**Shipping :** **10.48**PACKAGE DETAILS****Package 1 of 1****Tracking Number** 1Z053T96029775421
Package Type UPS Letter
Actual Weight Letter
Billable Weight : Letter**All currencies in USD****Total :** **10.48

Note: The displayed rate is for reference purposes and does not include applicable taxes.

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS.



UNITED PARCEL SERVICE OF AMERICA, INC.

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: 1Z 053 T96 02 9777 542 1
Service Type: 2ND DAY AIR
Shipped or Billed on: Aug 15, 2002

Delivered on: Aug 19, 2002 5:29 P.M.
Delivered to: CHANDLER, AZ, US
Location: FD POST

Thank you for giving us this opportunity to serve you.

Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 23, 2002 11:25 A.M. Eastern Time
(USA)

Brosius, Dawn

From: Brosius, Dawn
Sent: Monday, September 16, 2002 3:43 PM
To: Marks, David
Subject: Bechtel

David,

The last known address they found was the one we already have. I did a search on her address and it is corporate short term housing. They cannot tell me if she still is staying there, but they did tell me that after someone leaves they will not accept mail from them.

From: USA Find Search Results
Sent: Monday, September 16, 2002 2:09 PM
To: Brosius, Dawn
Subject: david l marks

USA-Find **A Service of USA Nationwide Search, Inc**

3336 North 32nd Street, Suite 111, Phoenix, AZ 85018-4573 • 623-USA-FIND • FAX: 602-553-0017
WEB: www.usafind.com Email: <mailto:css@1800usafind.com>

September 16, 2002

Dear David L Marks

Thank you for contacting USA-FIND and allowing us to assist you in your search.

Please find your search results at the end of this letter. They are the result of a nationwide public records search, on your behalf. It is the latest information available and includes most current known address and possible phone number. The data may be what you already have. If this is the case, the person has had no recent activity or not enough time has elapsed for new information to become available.

Thank you for calling USA FIND.

Sincerely,

JP Rubell

John Korbelik
President

Search Results:

Name	Address	Phone
------	---------	-------

BECHTEL , PAMELA E		
--------------------	--	--

480 LAURIE LN # 9 THOUSAND OAKS , CA 91360-		
--	--	--

7684288		
---------	--	--

BECHTEL , PAMELA E		
--------------------	--	--

2362 FOUNTAIN CREST LN # 27 THOUSAND OAKS , CA 91362-		
--	--	--

BECHTEL , PAMELA E		
--------------------	--	--

587 N VENTY PARK RD # 528 NEWBURY PARK , CA 91320-		
---	--	--

BECHTEL , PAMELA E		
--------------------	--	--

5385 SMITHY SQ # D PLEASANT HILL , CA 94553		
--	--	--

BECHTEL , PAMELA E

121 S FREMONT AV
BALTIMORE , MD 21201-

BECHTEL , PAMELA E

600 W GROVE PY # 1110
TEMPE , AZ 85283-

7684288

USA-Find A Service of USA Nationwide Search, Inc.

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Contact Information

Oakwood at Signature Place, Tempe
600 West Grove Parkway Tempe AZ US
Tel: 602-687-3322
Reservation: 1-214-357-5522
FAX: 602-687-8835



[Return to Previous Page](#)

Pegasus
powered by
SOLUTIONS



Cruise Vacations

My Profile

My Itinerary

Travel Info

Oakwood at Signature Place, Tempe

Signature Place has something for everyone. Located just minutes from fine dining and shopping. This gated community boasts a sparkling swimming pool and spa, and fitness center. All rooms come with a fully equipped kitchen, washer and dryer, tv, vcr and all local phone service is included. All of the rooms are like hotel suites, with all the comforts of home and the amenities of a hotel. Welcome to Signature Place.

Amenities

120 AC	Meeting Facilities
Air Conditioned	Small Pets
Alarm Clock	Allowed
Balcony	Outdoor Pool
Bath Tub	Indoor Parking
Business Center	Queen Bed
Coffeemaker	Radio
Handicap Facilities	Refrigerator
Express Check Out	Sauna
Family Plan	Shower
Free Parking	Telephone
Hairdryer In Room	Tour Desk
Iron	Color TV
Ironing Board	Cable TV
Kitchen	TV Remote
Maid Service	Control
Microwave	VCR

Dining

Restaurant / Dining Information: *Dining located off-property- -Rusty Pelican - Seafood. Open from 11am-10pm. Located 3 miles NE from the property. -Mimi-s Cafe - American Cuisine. Open from 4pm-12am. Located 4 miles SW from the property. -Bahama Breeze - Caribbean Cuisine. Open from 4pm-12am. Located 4 miles SE from the property.

Directions

: From Sky Harbor International Airport/PHX- Follow signs for I-10 East towards Tucson. Exit at Elliot Road and turn left heading East to Kyrene Road then turn left to head South. Take a left at the Grove Parkway. The property will be on the immediate right side of the road.

RATES & RESERVATIONS **BOOK NOW!**

RESEARCH AND DEVELOPMENT



UNIVERSITY OF MARYLAND

September 17, 2002

UPS Next Day Air & U.S.P.S. Certified Mail

Pamela E. Bechtel, Ph.D.
600 West Grove Parkway, Apt. 1110
Tempe, AZ 85283-4550

Re: U.S. Patent Application 10/083,576
Title: Method for Purifying Cancer-Specific Proliferating Cell Nuclear Antigen
Our Reference: LM-2000-051

Dear Dr. Bechtel:

Enclosed please find a Declaration and Power of Attorney for the above referenced patent application. Please sign and return the Declaration to me as soon as possible. You can fax it to me at 410-706-6630.

Please let me know if you need another copy of the patent application. Also please provide us with your current contact information, including telephone number and e-mail address. You can send this information via fax (410-706-6630) or e-mail (dmarks@umaryland.edu).

Thank you for your time and assistance.

Sincerely;

A handwritten signature in cursive script, appearing to read "David L. Marks".

David L. Marks

Enclosure

UPS Internet Shipping: View/Print Label

1. **Print the label:** Select Print from the File menu in this browser window to print the label below.
2. **Fold the printed label at the dotted line.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

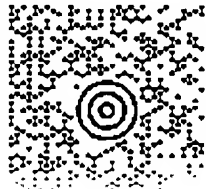

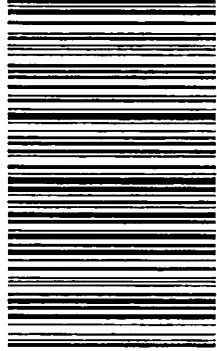

Customers without a Daily Pickup

- Ground, 3 Day Select, and Standard to Canada shipments must be dropped off at an authorized UPS location, or handed to a UPS driver. Pickup service is not available for these services. To find the nearest drop-off location, select the Drop-off icon from the UPS tool bar.
- Air shipments (including Worldwide Express and Expedited) can be picked up or dropped off. To schedule pickup, or to find a drop-off location, select the Pickup or Drop-off icon from the UPS tool bar.

Customers with a Daily Pickup

- Your driver will pickup your shipment(s) as usual.

FOLD HERE

HERGOTUS JUN 1992	LTR	1 OF 1
UNIVERSITY OF MARYLAND, BALTIMORE W. LOMARD STREET BALTIMORE MD 21201		
IP TO: DR. PAMELA BECHTEL APT. 11110 500 WEST GROVE PARKWAY TEMPE AZ 85283-4550		
		
AZ 852 9-99		
		
PS NEXT DAY AIR		
1		
TRACKING #: 1ZA0W 972 01 9437 3275		
		
PAGE: P/P		
SOURCE # 1: LM-2001-051		
 TM		
JUN 04 05:35 MACINTOSH LIBRARY 07/2002		



UNITED PARCEL SERVICE

DELIVERY NOTIFICATION

Dear Customer,

This is in response to your request for delivery information concerning the shipment listed below.

Tracking Number: 1Z A0W 972 01 9437 327 5
Reference Number(s): LM-2001-051, LM-2001-051
Service Type: NEXT DAY AIR
Shipped or Billed on: Sep 17, 2002

Delivered on: Sep 18, 2002 1:38 P.M.
Delivered to: 600 W GROVE PKWY
1110
TEMPE, AZ, US 85283

Signed by: HARSHMAN

A handwritten signature in black ink that reads "C Harshman". The signature is written in a cursive style with a large, stylized "C" and a long, sweeping tail.

Location: OFFICE

Thank you for giving us this opportunity to serve you.

Sincerely,
United Parcel Service

Tracking results provided by UPS: Sep 20, 2002 2:00 P.M. Eastern Time
(USA)